

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SECOND APPEAL No 135 of 1983

For Approval and Signature:

Hon'ble MR.JUSTICE A.L.DAVE

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge? : NO

FALGUN POINT I USTRIES

Versus

PASHABHAI B PATEL

Appearance:

MR MB GANDHI for Petitioners

NOTICE SERVED for Respondent No. 1

CORAM : MR.JUSTICE A.L.DAVE

Date of decision: 11/02/2000

ORAL JUDGEMENT

1. This Second Appeal arises out of Regular Civil Appeal No.126 of 1980 in the District Court, at Mehsana, which came to be decided by the learned Extra Assistant Judge, Mehsana, on 13th December, 1982. That Regular Civil Appeal arose out of Regular Summary Suit No.12 of

1978. That suit was filed by present respondent against the appellants for recovery of Rs.5500/- as money is due for the goods supplied with interest at the rate of 9%. The suit came to be decreed against the present appellants. The appellants, therefore, carried the judgment and decree to the District Court in Regular Civil Appeal No.126 of 1980 and the appeal also came to be dismissed.

2. The main contention in this Second Appeal is regarding jurisdiction of the Trial Court. This was raised before both the lower Courts and both the Courts below have negated that contention.

3. Heard Mr. M.B. Gandhi, learned advocate for the appellant. He has raised and argued this contention.

4. None appears for the respondent.

5. Having considered the contentions raised by Mr. Gandhi, on perusal of the judgments of both the Courts below and on scrutiny of the record, there does not appear any error committed by the Courts below on question of jurisdiction. There are concurrent findings of both the Courts below and, as such, no interference is called for in this Second Appeal by this Court. The appeal deserves dismissal and the same is dismissed with no orders as to costs.

[A.L. DAVE, J.]

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